

EXHIBIT 1

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

VESTA CORPORATION,

Plaintiff,

V.

VESTA MANAGEMENT SERVICES, LLC,

Defendant.

CIVIL ACTION NO. 4:15-CV-00719

DECLARATION OF JOSHUA GREENBLATT

1. I am over the age of 18, believe in the obligations of an oath, and have personal knowledge of the matters set forth below.

2. I am an Executive Vice President of Vesta Corporation, a Connecticut corporation with a principal place of business located at 175 Powder Forest Drive, Weatogue, Connecticut 06089.

3. I submit this declaration in support of plaintiff Vesta Corporation's Motion for Summary Judgment.

4. I have worked at Vesta Corporation since 1998.

5. As Executive Vice President, my job responsibilities include growing Vesta Corporation's portfolio of affordable properties, identifying sources of capital, and corporate oversight.

6. Vesta Corporation is in the business of developing, operating, managing, and owning affordable multifamily residential housing communities in Connecticut, New Jersey, Ohio, Washington, D.C., and Texas.

7. Vesta Corporation first owned and/or managed property in Texas in October 1998 and had continuous presence in Texas until August 2006.

8. In January 2015, Vesta Corporation reentered the Texas market when it purchased the Park at Woodland Springs in Spring, Texas.

9. Vesta Corporation's wholly owned subsidiary, Vesta Management Corporation, which is responsible for the management of Vesta Corporation's properties, has been registered to transact business in Texas from 1998 through 2006 and again since March 2014. A true and correct copy of Vesta Management Corporation's Certificate of Filing dated March 26, 2014 and Certificate of Authority dated April 20, 1998 are attached hereto as **Exhibit A**.

10. According to its website, defendant Vesta Management Services, LLC ("Vesta Management") was founded in 2011. See "Our History" page of Vesta Management Services, LLC's website, www.vesta24-7.com/history.asp, accessed on October 14, 2015, attached hereto as **Exhibit B** ("Since its founding in early 2011, Vesta has aggressive acquired properties and currently manages a broad portfolio mainly located in Texas.").

11. Vesta Management holds itself out on its website as a full service property management company that manages multifamily properties in Alabama, Georgia, North Carolina, and Texas. See **Exhibit B**; see "Residential Communities" page of Vesta Management Services, LLC's website, www.vesta24-7.com/residential-communities.asp, accessed on October 14, 2015, attached hereto as **Exhibit C**.

12. Prior to the commencement of this lawsuit, Vesta Management only advertised on its website the management of multifamily properties in Alabama and Texas.

13. Vesta Management uses the word "Vesta" in promoting its business, including on its website, www.vesta24-7.com, and in its logo. See **Exhibits B** and **C**.

14. Prior to encountering Vesta Management, Vesta Corporation had not encountered another company in the multifamily residential property management market

using its VESTA mark in any of the markets in which it currently or has in the past owns and/or manages properties.

15. Since the time that Vesta Corporation first heard of Vesta Management, I have helped gather incidents of confusion between Vesta Corporation and Vesta Management.

16. On or about November 18, 2014, Lynn Musulin, Administrative Assistant at Vesta Corporation, informed me that she had received a call from a man living in a property owned by Vesta Management Services, LLC who called Vesta Corporation when he was trying to reach Vesta Management Services, LLC.

17. I asked Ms. Musulin to look obtain information concerning Vesta Management, and she sent me an email containing certain information she found on the www.vesta24-7.com webpage. A true and correct copy of the email that Ms. Musulin sent to me is attached hereto as **Exhibit D**.

18. On January 16, 2015, Vesta Corporation sent to defendant Vesta Management a letter demanding that defendant Vesta Management cease and desist from its use of Vesta Corporation's VESTA mark. Vesta Management failed to respond to the cease and desist letter prior to the commencement of this action on March 18, 2015, more than two months later. A true and correct copy of the Cease and Desist Letter sent to Vesta Management by Vesta Corporation's counsel is attached hereto as **Exhibit E**.

19. In or about February and March 2015, Vesta Management included on its website, www.vesta24-7.com, information related to the Park Southern Apartments and Villages of Chesapeake/Avalon Apartments in Washington, D.C., both of which are owned and/or managed by Vesta Corporation, not Vesta Management. The same webpage displayed Vesta Management's telephone number. See screenshots from Vesta

Management Services, LLC's website accessed both by computer and mobile telephone, a true and correct copy of which are attached hereto as **Exhibit F**.

20. In or about February and March 2015, Vesta Management included on its website, www.vesta24-7.com, a link to Vesta Corporation's website. The same webpage displayed Vesta Management's telephone number. See *id.*

21. As of August 6, 2015, Vesta Management's website advertised that it managed and provided links to the following apartments: Arbors of Austin, Deerbrook Forest, Forest Creek Apartments, Fountaingate, Heritage Apartments, Lago Del Mar I and II, Lancaster, Marquee Uptown & Carriage Sq., Mayfair Park, Sweetwater at Buckingham in Richardson, Texas, The Trails of Sanger, Westwood Townhomes, and Windsprint Apartments. See "Residential Communities" page of Vesta Management Services, LLC's website, www.vesta24-7.com/residential-communities.asp, accessed on August 6, 2015, attached hereto as **Exhibit G**.

22. Vesta Corporation has never owned or managed Arbors of Austin, Deerbrook Forest, Forest Creek Apartments, Fountaingate, Heritage Apartments, Lago Del Mar I and II, Lancaster, Marquee Uptown & Carriage Sq., Mayfair Park, Sweetwater at Buckingham in Richardson, Texas, The Trails of Sanger, Westwood Townhomes, or Windsprint Apartments.

23. On or about September 23, 2015, Charles Moran, Executive Vice President of Vesta Corporation, forwarded me a voicemail and voice to text transcription of the voicemail that he received from a caller who identified herself as Kim Wimbush from Hunter Warfield. A true and correct copy of the voice to text email forwarded to me from Mr. Moran concerning the call from Ms. Wimbush is attached hereto as **Exhibit H**; a Certified Transcript of the voicemail from Ms. Wimbush is attached hereto as **Exhibit I**.

24. According to the voicemail, Ms. Wimbush was calling with regard to two properties known as The Timbers and The Trestles, which Ms. Wimbush believed Vesta Corporation had recently taken over from Bell Partners.

25. According to Mr. Moran, The Timbers is managed by Vesta Management. See Exhibit H. Vesta Management's website advertises that it manages both The Timbers and The Trestles. See Exhibit C.

26. Vesta Corporation has never owned or managed The Timbers or the Trestles.

27. On October 5, 2015, I received an email with the subject line "Re: Velocity Exception – Vesta Management Services – Rosemont at Cityview – 19211990-36 [737300]" from customer support at RentPayment, a vendor providing online payment solutions for property managers. A true and correct copy of the email I received on October 5, 2015, from customer support at RentPayment is attached hereto as Exhibit J.

28. As of October 14, 2015, Vesta Management's website advertised that it managed Rosemont Cityview. See Exhibit C.

29. Vesta Corporation has never owned or managed Rosemont Cityview.

30. Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 20, 2015



Joshua Greenblatt
Executive Vice President
Vesta Corporation

EXHIBIT A

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697



Nandita Berry
Secretary of State

Office of the Secretary of State

CERTIFICATE OF FILING OF

VESTA MANAGEMENT CORPORATION

File Number: 12055906

The undersigned, as Secretary of State of Texas, hereby certifies that the application for reinstatement for the above named entity has been received in this office and has been found to conform to law. It is further certified that the entity has been reinstated to active status on the records of this office.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law hereby issues this Certificate of Filing.

Dated: 03/26/2014

Effective: 03/26/2014



NANDITA BERRY

Nandita Berry
Secretary of State



The State of Texas

Secretary of State

CERTIFICATE OF AUTHORITY

OF

VESTA MANAGEMENT CORPORATION
CHARTER NUMBER 00120559

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,
HEREBY CERTIFIES THAT THE ATTACHED APPLICATION OF THE ABOVE ENTITY FOR
A CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THIS STATE HAS BEEN
RECEIVED IN THIS OFFICE AND IS FOUND TO CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SUCH SECRETARY OF STATE, AND BY
VIRTUE OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HE/HEBY ISSUES
THIS CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THIS STATE FROM
AND AFTER THIS DATE, FOR THOSE PURPOSES SET FORTH IN THE APPLICATION,
UNDER THE NAME OF

FIRST VESTA MANAGEMENT CORPORATION

DATED APR. 20, 1998

EFFECTIVE APR. 20, 1998



A handwritten signature in black ink, appearing to read "Alberto R. Gonzales".

Alberto R. Gonzales, Secretary of State

EXHIBIT B

[HOME](#)[ABOUT US](#)[RESIDENTIAL COMMUNITIES](#)[RESIDENT SERVICES](#)[MANAGEMENT SERVICES](#)[EMPLOYMENT](#)[CONTACT US](#)

Our History

Vesta Management Services, LLC is a full service Multi Family management company and affiliate of InterCapital Group. Vesta is privately owned and headquartered in Houston, Texas.

Since its founding in early 2011, Vesta has aggressively acquired properties and currently manages a broad portfolio mainly located in Texas. Its partners have extensive experience in the Texas market place, having previously managed a portfolio of 65,000 units at Alliance Residential Management. In tandem with InterCapital, Vesta's first class services include unmatched property management, operations, renovations, capital maintenance, accounting, reporting and asset management

675 Bering Drive Suite 730
Houston, TX 77057

(713) 784-6200

(713) 784-6215

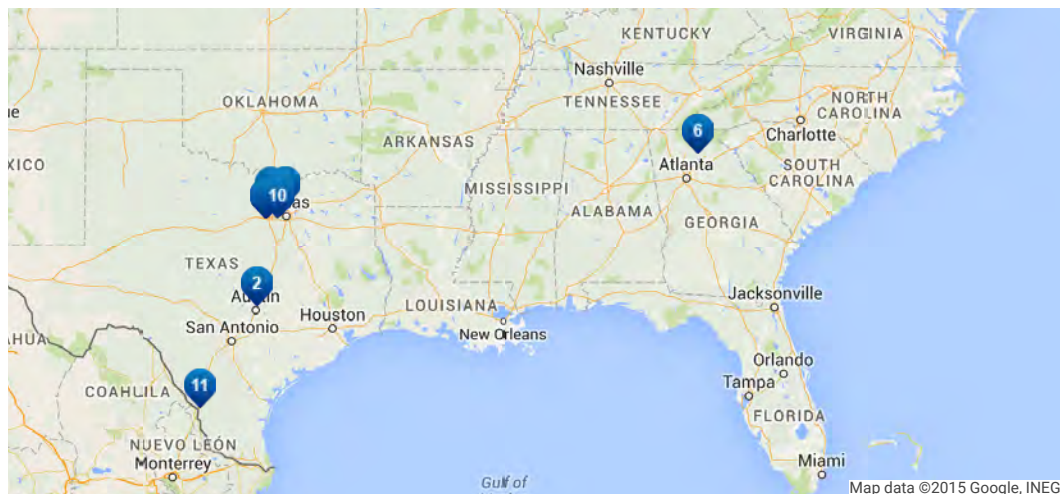
© 2013 Vesta Management Services L.L.C. All rights reserved
Creative design by [ellipsinc.com](#)

[HOME](#) : [MISSION STATEMENT](#) : [HISTORY](#) : [EXECUTIVE STAFF](#) : [PRESS RELEASE](#) : [RESIDENTIAL COMMUNITIES](#) : [RESIDENT SERVICES](#) : [MANAGEMENT SERVICES](#) : [EMPLOYMENT](#) : [CONTACT US](#)

EXHIBIT C

[HOME](#)[ABOUT US](#)[RESIDENTIAL COMMUNITIES](#)[RESIDENT SERVICES](#)[MANAGEMENT SERVICES](#)[EMPLOYMENT](#)[CONTACT US](#)

Refine Search

State: ▼City: ▼Bedrooms: ▼Bathrooms: ▼Sort Results: ▼

1



3939 Rosemeade

3939 Rosemeade, Dallas, TX 75287

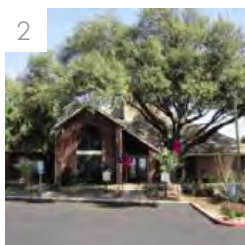
(972) 306-7424

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

2



Arbors of Austin

1070 Mearns Meadow Blvd, Austin, TX 78758

(512) 339-6033

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

3



Copper Crossing

5644 Riverwalk Drive, Benbrook, TX 76109

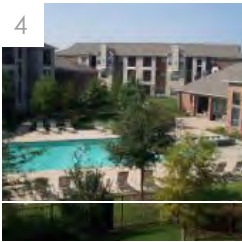
(817) 737-4033

Copper Crossing Apartment Homes in Fort Worth, Texas offers a comfortable and carefree lifestyle. We are conveniently located just minutes away from shopping, dining, entertainment, and the Trinity walking trails. Copper Crossing offers smartly designed one and two bedroom homes and are currently in the process of a multi-million dollar interior renovation. Our newly upgraded apartment homes feature designer paint schemes, crown molding, brushed nickel lighti ...

Bedrooms: 1 - 2

Bathrooms: 1 - 2

4



Creekside at Northlake
8299 Small Block Rd., Northlake, TX 76262

(817) 854-0011

Please see property website for details.

Bedrooms: 1
Bathrooms: 1

5



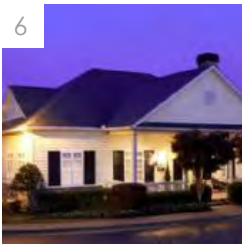
Cypress Club
2004 Sherry Dr., Arlington, TX 76010

(817) 265-7067

Please see property website for details.

Bedrooms: 1 - 2
Bathrooms: 1 - 2

6



Dawson Forest
100 Green Forest Dr., Dawsonville, GA 30534

(706) 216-4292

Please see property website for details.

Bedrooms: 1 - 3
Bathrooms: 1 - 2

7



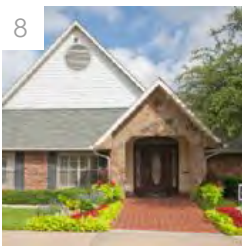
Derby Park
606 W. Palace Parkway, Grand Prairie, TX 75050

(972) 262-2784

Find incredible luxury and style at Derby Park Apartments in Grand Prairie, Texas. Our country style community is just off of I-30 and Belt Line Road, and within a 1/2 mile of Lone Star Park and Nokia Theatre. We are minutes from the horse track, the Ballpark of Arlington, Six Flags Over Texas and Hurricane Harbor Water Park. Our one and two bedroom apartments come in several unique floor plans and have unusual designs such as curved walls. All homes have full size ...

Bedrooms: 1 - 2
Bathrooms: 1 - 2

8



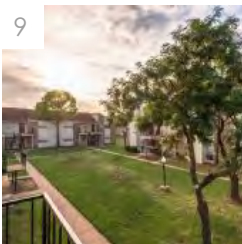
Estrada Oaks
2115 Estrada Parkway, Irving, TX 75061

(972) 871-1167

At Estrada Oaks, we offer more than apartment living, we offer a convenience for living life. Centrally located in Irving, Texas, you'll have easy access to major highways and thoroughfares, as well as fine shopping and exquisite dining. If you don't feel like leaving the property, you can enjoy our swimming pool with sun deck, tennis court, business center, fitness center, multiple courtyards, or picnic area. Our one and two bedroom homes feature two-inch wo ...

Bedrooms: 1 - 2
Bathrooms: 1 - 2

9



Fountaingate
5210 Tower Dr, Wichita Falls, TX 76310

(940) 691-0931

Please see property website for details.

Bedrooms: 1 - 2
Bathrooms: 1 - 2

10



Hunter's Cove
3056 Commodore Dr., Grand Prairie, TX 75052

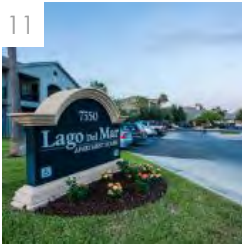
(972) 988-1616

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

11



Lago Del Mar Apartments, I
7550 Country Club Dr., Laredo, TX 78041

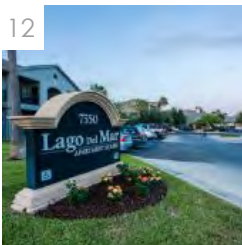
(956) 753-6800

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

12



Lago Del Mar Apartments, II
7550 Country Club Dr., Laredo, TX 78041

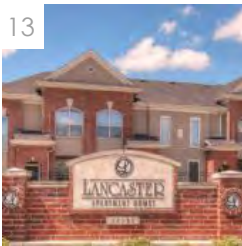
(956) 753-6800

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

13



Lancaster
20100 Park Row, Katy, TX 77449

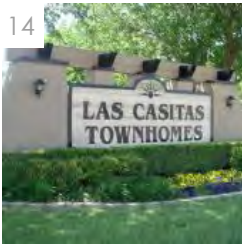
(281) 829-2227

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

14



Las Casitas Townhomes
1369 N Hampton, DeSoto, TX 75115

(972) 223-5300

Located in the beautiful DeSoto, Texas, Las Casitas Apartments provide suburban comfort meshed with convenience ... the perfect combination for your busy lifestyle. Choose from one, two, and three-bedroom designs featuring large one-story floor plans as well as bi-level townhomes ranging up to 1,180 square feet!

Conveniently situated to I-35 and I-20, Las Casitas features easy access to the entire Dallas-Fort Worth Metroplex. More importantly, top qualit ...

Bedrooms: 1 - 3

Bathrooms: 1 - 2

15



Mayfair Park
7450 N. Shepherd, Houston, TX 77091

(713) 695-9600

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

16



Northgate Hills
9024 Northgate, Austin, TX 78758

(512) 834-8717

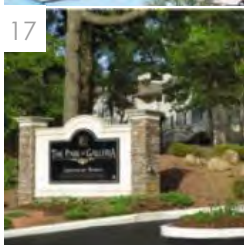
Please see property website for details.

Bedrooms: 1 - 3

Bathrooms: 1 - 2

(205) 987-0667

17



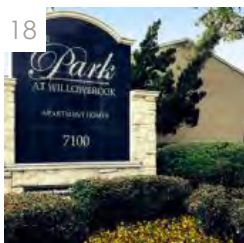
Park at Galleria
550 Hampton Park Dr., Hoover, AL 35216

Please see property website for details.

Bedrooms: 1 - 3

Bathrooms: 1 - 2

18



Park at Willowbrook
7100 Smilingwood Lane, Houston, TX 77086

(281) 820-4346

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

19



Parkview Place
2111 N. Austin Ave. , Georgetown, TX 78626

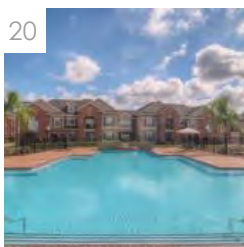
(512) 819-0033

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

20



Piedmont
7510 Decker Road, Baytown, TX 77520

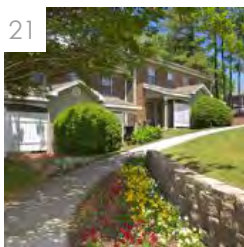
(281) 424-2100

Please see property website for details.

Bedrooms: 1 - 3

Bathrooms: 1 - 2

21



Place at Galleria
One Hampton Place, Birmingham, AL 35216

(205) 823-4999

Please see property website for details.

Bedrooms: 1 - 3

Bathrooms: 1 - 2

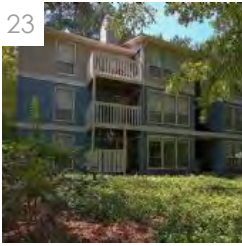
22



Providence at Champions
5100 FM 1960 Rd W, Houston, TX 77069

(281) 880-9698

23



Welcome to Providence at Champions Apartment Homes! With rich, sophisticated exterior treatments and updated refinished interiors, all the amenities you could attend to. You'll be impressed with the variety of spacious and unique floor plans, each with great features, including (in select units) bookcases, fireplaces, washer and dryer connections. We can place washer and dryer in place. For more information, please call or visit our website. Our apartment community is nestled amongst the trees near scenic Lake Johnson and is only minutes away from downtown Raleigh, I-40, I-440, Cary Town Center, and NC State.

We are proud to offer modern one and two bedroom homes with open floor plans designed to maximize space and comfort. All of our apartment homes feature custom, built-in bookshelves, spacious closets, wooded views, washer/drye ...

Bedrooms: 0 - 2
Bathrooms: 1 - 2

Bedrooms: 1 - 2
Bathrooms: 1 - 2

24



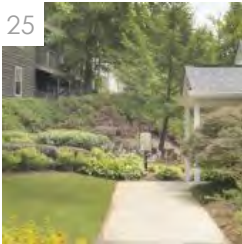
Renaissance at Galleria
3800 Galleria Woods Drive, Hoover, AL 35244

(205) 987-9555

Please see property website for details.

Bedrooms: 1 - 3
Bathrooms: 1 - 2

25



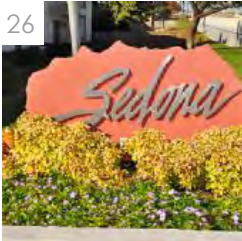
Rosemont Cityview
1650 Barnes Mill Road, Marietta, GA 30062

(770) 423-0271

Please see property website for details.

Bedrooms: 1 - 2
Bathrooms: 1 - 2

26



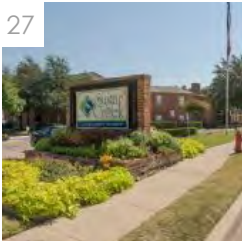
Sedona Springs
1516 Arbor Town Circle, Arlington, TX 76011

(817) 265-4142

Please see property website for details.

Bedrooms: 1 - 2
Bathrooms: 1 - 2

27



Sugar Creek
950 Duncan Perry Road, Grand Prairie, TX 75050

(972) 660-3017

Live the life you've dreamed of! Design your own apartment home by picking some of our upgrade options and embrace the surrounding area! Sugar Creek Apartments offers versatility in a comfortable and relaxed lifestyle. If you love hanging out in Dallas or like meeting friends in Ft Worth we are perfectly located for access to both metropolitan areas. Our location offers exciting night life, incredible shopping and we are minutes away from Arlington, The Hear ...

Bedrooms: 1 - 2
Bathrooms: 1 - 2

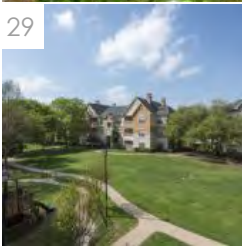
28



Sutter Creek
2216 Plum Lane, Arlington, TX 76010

(817) 265-2073

29



Please see property website for details.
Sweetwater at Buckingham
540 Buckingham Rd. , Richardson, TX 75081

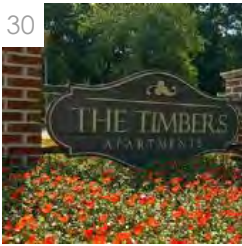
(972) 470-3000

Bedrooms: 1 - 2
2

Please see property website for details.

Bedrooms: 1 - 3
Bathrooms: 1 - 2

30



The Timbers
5900 Timbercreek Lane, Raleigh, NC 27612

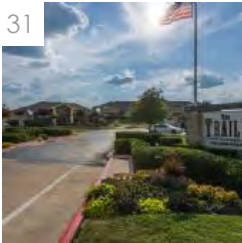
(919) 781-1505

Welcome to The Timbers Apartment Homes in Raleigh, North Carolina, where you will find a convenient location at affordable prices. We are located close to Crabtree Valley Mall and the beltline, so you will only be minutes away from all that Raleigh has to offer.

Bedrooms: 1 - 2
Bathrooms: 1 - 2

Our one and two bedroom apartment homes feature huge closets, bay windows, a patio or balcony and more. With our community amenities, you can live an active life without breaking the bank. Our a ...

31



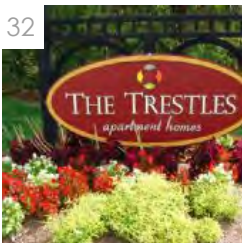
The Trails of Sanger
11501 Marion Rd, Sanger, TX 76266

(940) 458-0027

Welcome to The Trails Apartments, a hidden paradise in Sanger, Texas! We are nestled near Lake Ray Roberts off of I-35 near Denton, Gainesville and minutes from Winstar Casino in Thackerville, Oklahoma. Residents enjoy being conveniently l ...

Bedrooms: 1 - 3
Bathrooms: 1 - 2

32



The Trestles
3008 Calvary Drive, Raleigh, NC 27604

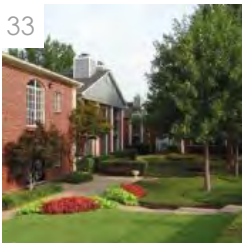
(919) 876-6011

Welcome to The Trestles Apartment Homes in Raleigh, North Carolina, where you will find sensible homes in a convenient location. Close to the city but tucked away from the busy traffic, The Trestles is right around the corner from shopping, dining, entertainment and employment. We are close to I-440 and I-540 and within walking distance of public transportation which will ease your morning commute.

Bedrooms: 1 - 2
Bathrooms: 1 - 2

Our one and two bedroom apartment homes feature firepla ...

33



Westview Apartments
201 W. Southwest Pkwy, Lewisville, TX 75067

(972) 436-7443

Please see property website for details.

Bedrooms: 1 - 3
Bathrooms: 1 - 2

34



Westwood Townhomes
603 W. Center Street, Duncanville, TX 75116

(972) 296-2936

Located in peaceful Duncanville, Texas, close to schools and scenic parks, Westwood Townhomes offers spacious living amidst picturesque, well-maintained grounds and green spaces, complimented with pleasing architecture.

Bedrooms: 1 - 3
Bathrooms: 1 - 2

This tranquil community blends an exceptional apartment and townhome lifestyle with top-tier features and amenities, resulting in the ideal new home for you and your family.

So when you're searching for the best apartments Dallas ...
[Windsong Apartments](#)
1110 E. Wintergreen Road, DeSoto, TX 75115

(972) 224-3548

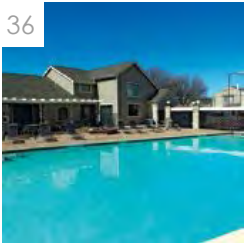
35



Immerse yourself in the extraordinary beauty, unparalleled service, and impressive value you'll find at Windsong Place. Enjoy the convenience of apartment home living with all the features of a custom home. Relax at our two sparkling swimming pools surrounded by manicured lush landscaping. Treat yourself to any of our great one- or two-bedroom floor plans. Let cozy, wood-burning fireplaces, private patios/balconies, and spacious walk-in closets create the retreat you're ...

Bedrooms: 1 - 2
Bathrooms: 1 - 2

36



[Windsprint Apartments](#)
2305 Windspring Way, Arlington, TX 76014

(817) 261-6000

Please see property website for details.

Bedrooms: 1 - 3
Bathrooms: 1 - 2

675 Bering Drive Suite 730
Houston, TX 77057

(713) 784-6200

(713) 784-6215

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Creative design by [ellipseinc.com](#)

EXHIBIT D

Beth Sanchez

From: Lynn Musulin
Sent: Tuesday, November 18, 2014 12:01 PM
To: Joshua Greenblatt
Subject: The mystery is solved! :)

"Vesta Management Services is a full service Multi-Family management company headquartered in Houston. With communities located throughout Texas, Vesta's first class services include unmatched property management, operations, renovations, capital maintenance, accounting and asset management."

I'm guilty of thinking we are the only Vesta in the universe! (When, in fact, we are simply the BEST Vesta in the Universe! ☺)

Thank you,

Lynn K. Musulin | Corporate Accounting
Vesta Corporation | 175 Powder Forest Drive | Weatogue, CT 06089
Main: 860-325-1700 | Direct Dial: 860-325-1733 | lynn@vestacorp.com | www.vestacorp.com

EXHIBIT E



Aaron Greenblatt
(t) 860.548.2667
(f) 860.548.2680
agreenblatt@uks.com

January 16, 2015

VIA FEDEX AND U.S. CERTIFIED MAIL

Mr. Edward I. Biskind
Vesta Management Services, LLC
675 Bering Drive, Suite 160
Houston, TX 77057

Re: Vesta Corporation Cease and Desist Notice
RESPONSE DEADLINE: February 2, 2015

Dear Mr. Biskind:

This firm represents Vesta Corporation and its affiliates (“Vesta”). For nearly 17 years, Vesta has continuously operated a real estate development and management company and has been doing business as Vesta and using that name and service mark in connection with its business, advertising, marketing, and materials. Vesta has an active service mark with the United States Patent and Trademark Office that has been registered since 2002.

It has come to our client’s attention that Vesta Management Services, LLC is impermissibly using the name and mark “Vesta” in its competing real estate development and management company. Such unauthorized use of the mark “Vesta” is likely to confuse and deceive consumers as to whether Vesta Management Services, LLC is affiliated or associated with Vesta, and constitutes a violation of the Lanham Act, 15 U.S.C. § 1125 and an unfair trade practice. In fact, tenants at properties owned and operated by your company have already contacted our client because of the confusing and impermissible use of “Vesta.”

Accordingly, we demand that you cease and desist immediately from any further use of the term “Vesta” in reference to your business, whether such use appears in connection with your advertising, website, products, services, or elsewhere.

If you agree in writing by February 2, 2015 that you will cease using the term “Vesta,” it will increase the likelihood that this matter may be resolved amicably. If you do not agree, you will give our client no choice but to pursue legal action seeking all available remedies, including monetary damages, punitive damages, injunctive relief, and attorney’s fees, without further notice to you before we file such action.

Edward I. Biskind
January 16, 2015
Page 2 of 2

We look forward to hearing from you or your attorney by February 2, 2015.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Aaron Greenblatt'.

Aaron Greenblatt

cc: Laura Krupala, registered agent
Joshua Greenblatt
Brian C. Courtney, Esq.



EXHIBIT F



Home 

COMMUNITIES

(713) 784-6200

Washington, Alabama

[BACK TO STATE LISTING](#)

Park Southern Apartments

800 Southern Ave SE
Washington, DC 20032

PH: (202) 561-4600

FX: (202) 561-4638

EM: parksouthern@vestacorp.com

WEB: www.vestacorp.com



Villages of Chesapeake/Avalon

820 Southern Ave SE
Washington, DC 20032

PH: (202) 561-2050

FX: (713) 784-6215

EM: chesapeake@vestacorp.com

WEB: www.vestacorp.com



© 2014 Villages of Chesapeake/Avalon

[View Full Website](#)

Creative design by ellipseinc.com



vesta24-7.com



Home

COMMUNITIES

(713) 784-6200

Washington, Alabama [BACK TO STATE LISTING](#)

Park Southern Apartments

800 Southern Ave SE
Washington, DC 20032

PH: (202) 561-4600

FX: (202) 561-4638

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PH: (202) 561-2050

FX: (713) 784-6215

EM: chesapeake@vestacorp.com

WEB: www.vestacorp.com



VESTA
MANAGEMENT
SERVICES

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Creative design by

ellipseinc.com



EXHIBIT G

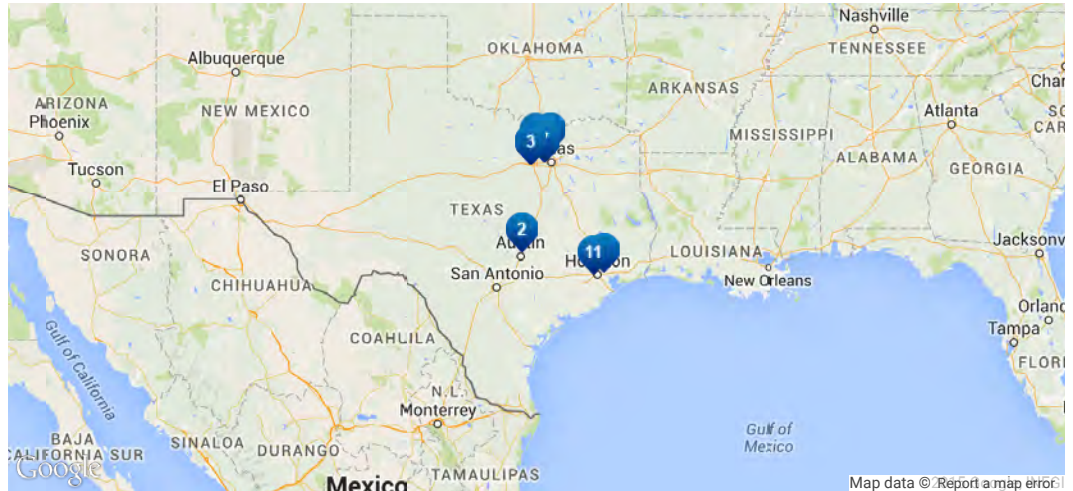
[HOME](#) [ABOUT US](#) [RESIDENTIAL COMMUNITIES](#) [RESIDENT SERVICES](#) [MANAGEMENT SERVICES](#) [EMPLOYMENT](#) [CONTACT US](#)

Refine Search

State: TX ▼

City: Select Metro/City ▼

Bedrooms: --- ▼ Bathrooms: --- ▼



Sort Results: ---Name--- ▼



3939 Rosemeade
3939 Rosemeade, Dallas, TX 75287

(972) 306-7424

Please see property website for details.

Bedrooms: 1 - 2
Bathrooms: 1 - 2



Arbors of Austin
1070 Means Meadow Blvd, Austin, TX 78758

(512) 339-6033

Please see property website for details.

Bedrooms: 1 - 2
Bathrooms: 1 - 2



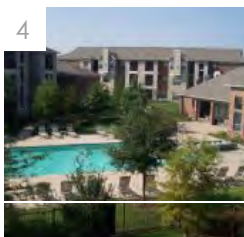
Copper Crossing
5644 Riverwalk Drive, Benbrook, TX 76109

(817) 737-4033

Copper Crossing Apartment Homes in Fort Worth, Texas offers a comfortable and carefree lifestyle. We are conveniently located just minutes away from shopping, dining, entertainment, and the Trinity walking trails. Copper Crossing offers smartly designed one and two bedroom homes and are currently in the process of a multi-million dollar interior renovation. Our newly upgraded apartment homes feature designer paint schemes, crown molding, brushed nickel lighti ...

Bedrooms: 1 - 2
Bathrooms: 1 - 2

4



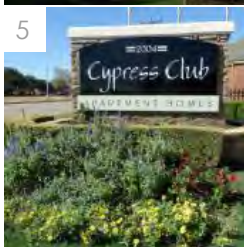
Creekside at Northlake
8299 Small Block Rd., Northlake, TX 76262

(817) 854-0011

Please see property website for details.

Bedrooms: 1
Bathrooms: 1

5



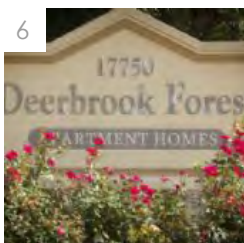
Cypress Club
2004 Sherry Dr., Arlington, TX 76010

(817) 265-7067

Please see property website for details.

Bedrooms: 1 - 2
Bathrooms: 1 - 2

6



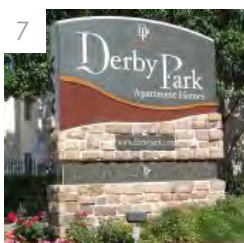
Deerbrook Forest
17750 Hwy 59N, Humble, TX 77396

(281) 446-8586

Please see property website for details.

Bedrooms: 1 - 2
Bathrooms: 1 - 2

7



Derby Park
606 W. Palace Parkway, Grand Prairie, TX 75050

(972) 262-2784

Find incredible luxury and style at Derby Park Apartments in Grand Prairie, Texas. Our country style community is just off of I-30 and Belt Line Road, and within a 1/2 mile of Lone Star Park and Nokia Theatre. We are minutes from the horse track, the Ballpark of Arlington, Six Flags Over Texas and Hurricane Harbor Water Park.

Our one and two bedroom apartments come in several unique floor plans and have unusual designs such as curved walls. All homes have full size ...

Bedrooms: 1 - 2
Bathrooms: 1 - 2

8



Estrada Oaks
2115 Estrada Parkway, Irving, TX 75061

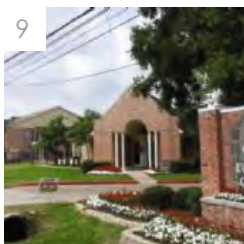
(972) 871-1167

At Estrada Oaks, we offer more than apartment living, we offer a convenience for living life. Centrally located in Irving, Texas, you'll have easy access to major highways and thoroughfares, as well as fine shopping and exquisite dining. If you don't feel like leaving the property, you can enjoy our swimming pool with sun deck, tennis court, business center, fitness center, multiple courtyards, or picnic area.

Our one and two bedroom homes feature two-inch wo ...

Bedrooms: 1 - 2
Bathrooms: 1 - 2

9



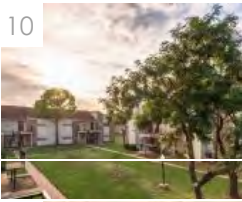
Forest Creek Apartments
5915 Uvalde Road, Houston, TX 77049

(281) 459-5000

Please see property website for details.

Bedrooms: 1 - 2
Bathrooms: 1 - 2

10



Fountaingate
5210 Tower Dr, Wichita Falls, Tx 76310

(940) 691-0931

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

11



Heritage Apartments
2666 Marilee Ln, Houston, TX 77057

(713) 782-4084

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

12



Hunter's Cove
3056 Commodore Dr., Grand Prairie, TX 75052

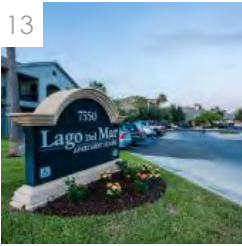
(972) 988-1616

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

13



Lago Del Mar Apartments, I
7550 Country Club Dr., Laredo, TX 78041

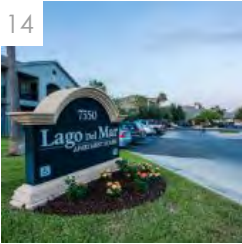
(956) 753-6800

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

14



Lago Del Mar Apartments, II
7550 Country Club Dr., Laredo, TX 78041

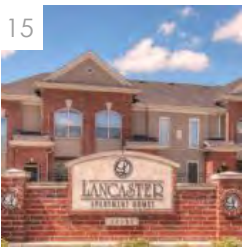
(956) 753-6800

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

15



Lancaster
20100 Park Row, Katy, TX 77449

(281) 829-2227

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

16



Marquee Uptown & Carriage Sq.
2306 McCue Rd., Houston, TX 77056

(713) 622-4363

Please see property website for details.

Bedrooms: 1

Bathrooms: 1
(713) 695-9600

17



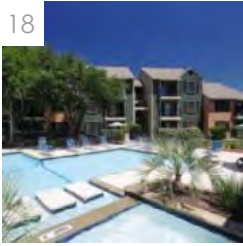
Mayfair Park
7450 N. Shepherd, Houston, TX 77091

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

18



Northgate Hills
9024 Northgate, Austin, TX 78758

(512) 834-8717

Please see property website for details.

Bedrooms: 1 - 3

Bathrooms: 1 - 2

19



Park at Willowbrook
7100 Smilingwood Lane, Houston, TX 77086

(281) 820-4346

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

20



Parkview Place
2111 N. Austin Ave. , Georgetown, TX 78626

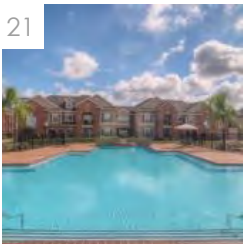
(512) 819-0033

Please see property website for details.

Bedrooms: 1 - 2

Bathrooms: 1 - 2

21



Piedmont
7510 Decker Road, Baytown, TX 77520

(281) 424-2100

Please see property website for details.

Bedrooms: 1 - 3

Bathrooms: 1 - 2

22



Providence at Champions

5100 FM 1960 Rd W, Houston, TX 77069

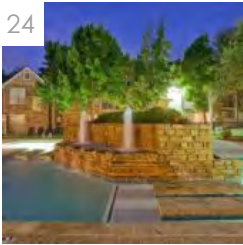
(281) 880-9698

Welcome to Providence at Champions Apartment Homes! With rich, sophisticated exterior treatments and updated refinished interiors, all the details have been attended to. You'll be impressed with the variety of spacious and unique floor plans, each with great features, including (in select units) bookcases, fireplaces, washer and dryer connections. We can place washer and dryer connections in your own apartment home, avoiding the hassle of a shared laundry room. Residents enjoy being close to the fitness center, close to the spa...
 Sugar Creek Apartments offers versatility in a comfortable and relaxed lifestyle. If you love hanging out in Dallas or like meeting friends in Ft Worth we are perfectly located for access to both metropolitan areas. Our location offers exciting night life, incredible shopping and we are minutes away from Arlington, The Hear ...

Bedrooms: 0 - 2
 Bathrooms: 1 - 2

Bedrooms: 1 - 2
 Bathrooms: 1 - 2

24



Sutter Creek

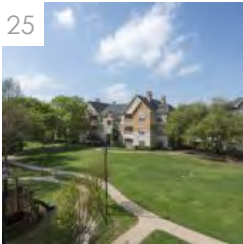
2216 Plum Lane, Arlington, TX 76010

(817) 265-2073

Please see property website for details.

Bedrooms: 1 - 2
 Bathrooms: 1 - 2

25



Sweetwater at Buckingham

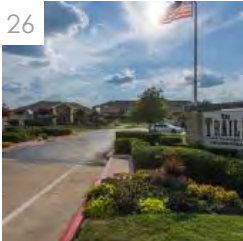
540 Buckingham Rd. , Richardson, TX 75081

(972) 470-3000

Please see property website for details.

Bedrooms: 1 - 3
 Bathrooms: 1 - 2

26



The Trails of Sanger

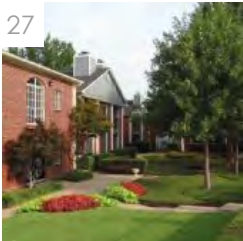
11501 Marion Rd, Sanger, TX 76266

(940) 458-0027

Welcome to The Trails Apartments, a hidden paradise in Sanger, Texas! We are nestled near Lake Ray Roberts off of I-35 near Denton, Gainesville and minutes from Winstar Casino in Thackerville, Oklahoma. Residents enjoy being conveniently l ...

Bedrooms: 1 - 3
 Bathrooms: 1 - 2

27



Westview Apartments

201 W. Southwest Pkwy, Lewisville, TX 75067

(972) 436-7443

Please see property website for details.

Bedrooms: 1 - 3
 Bathrooms: 1 - 2

28



Westwood Townhomes
603 W. Center Street, Duncanville, TX 75116

(972) 296-2936

29



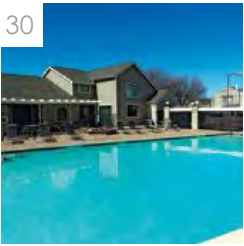
Windsong Apartments
Located in peaceful Duncanville, Texas, close to schools and scenic parks, Westwood Townhomes offer residents a relaxing lifestyle amidst picturesque, well-maintained grounds and green spaces, complimented with pleasing architecture. Immerse yourself in the extraordinary beauty, unparalleled service, and impressive value you'll find at Windsong Place! Enjoy the convenience of an apartment home living with all the features of a custom home. Relax around our two sparkling swimming pools surrounded by manicured lush landscaping. Treat yourself to any of our great one- or two-bedroom floor plans. Let cozy, wood-burning fireplaces, private patios/balconies, and spacious walk-in closets create the retreat you're ...

(972) 224-3548

Bedrooms: 1 - 3
Bathrooms: 2

Bedrooms: 1 - 2
Bathrooms: 1 - 2

30



Windsprint Apartments
2305 Windspring Way, Arlington, TX 76014

(817) 261-6000

Please see property website for details.

Bedrooms: 1 - 3
Bathrooms: 1 - 2

EXHIBIT H

Attorney-Client Communication

From: Chuck Moran
Sent: Wednesday, September 23, 2015 11:47 AM
To: Joshua Greenblatt <JGreenblatt@vestacorp.com>
Subject: FW: Voice Mail (1 minute and 14 seconds)

The Houston "Vesta" manages The Timbers in Raleigh, NC and this property she is referring to. It is listed on their website. Perfect example of the confusion.

Chuck

From: Microsoft Outlook **On Behalf Of** HUNTER WARFIELD
Sent: Wednesday, September 23, 2015 10:29 AM
To: Chuck Moran <cmoran@vestacorp.com>
Subject: Voice Mail (1 minute and 14 seconds)

Hi Chuck this is Kim Lin bush with HUNTER WARFIELD I'm not sure if the name rings a bell but I am actually calling regarding the chambers and the truffles you guys took them over from bell partners to add they actually work exclusively with HUNTER WARFIELD for collections and anyhow just not sure if you all are working on once I has bell partners does and you know with with budgets getting going now figured you probably done some pretty deep analysis with your current collection resolved and if you've discovered any areas that you know maybe just you were hoping to see some improvements made and just didn't happen perhaps it would be worse that the time to have a call between you and I because certainly talk a little bit deeper about the properties that we were we working with an collections so you know again if it's that's worth the call give me a ring back.

[\(813\) 283-4517](tel:8132834517) Chuck when you give me a call back we could floor calendars out and then now look to see what Time Works well for the both of us I hope all is well and hopefully we can connect here sometime soon thank you bye bye.

Preview provided by Microsoft Speech Technology. [Learn More...](#)

You received a voice mail from HUNTER WARFIELD at [\(813\) 283-4517](#).

Caller-Id: [\(813\) 283-4517](#)

 Please consider the environment before printing this e-mail

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EXHIBIT I

Recorded voicemail left by Ms. Kim Wimbershire
(phonetic) at Hunter Warfield.

SHEILA BUTCH TRANSCRIPTION SERVICES
170 Hartland Boulevard
East Hartland, CT 06027
(860) 653-2185 Fax: (860) 653-6216

1 MS. WIMBERSHIRE: Hi, Chuck. This is
2 Kim Wimbeshire (phonetic), Hunter Warfield. I'm not
3 sure if the name rings a bell, but I'm actually
4 calling regarding the timbers and the trusses. You
5 guys took them over from Bell Partners, who they
6 actually work exclusively with Hunter Warfield for
7 collections. And, anyhow, just not sure if you are
8 working on one site as Bell Partners does and, you
9 know, with budgets getting going now, figured you'd
10 probably done some pretty deep analysis of your
11 current collection results. And if you discovered any
12 areas that, you know, maybe just you were hoping to
13 see some improvements made and just didn't happen.

14 Perhaps it would be worth the time to
15 have a call between you and I. We can, certainly,
16 talk a little deeper about the properties that we were
17 working with on collection. So, you know, again, if
18 it's worth the call, give me a ring back. (813)283-
19 4517.

20 Chuck, when you give me a call back, we
21 can just pull our calendars out and then look to see
22 what time works well for the both of us. I hope all
23 is well, and, hopefully, we can connect here sometime
24 soon.

25 Thank you. Bye-bye.

C E R T I F I C A T E

I hereby certify that I am a Notary Public in
and for the State of Connecticut.

I further certify that the foregoing is
a complete and accurate transcription of the
recorded proceeding to the best of my knowledge and
belief.

I further certify that I am neither of counsel
nor attorney to any of the parties to said cause, nor
of either counsel in said cause, nor am I interested
in the outcome of said cause.

Witness my hand and seal as Notary Public this
2nd day of October, 2015.

Sheila D. Butch
Sheila D. Butch

My Commission Expires: 5/31/2019

EXHIBIT J

Attorney-Client Communication

From: Jason M. (RentPayment Support) [mailto:accountmanagement@rentpayment.com]
Sent: Monday, October 5, 2015 10:22 AM
Cc: Joshua Greenblatt <JGreenblatt@vestacorp.com>
Subject: Re: Velocity Exception - Vesta Management Services - Rosemont at Cityview - 19211990-36 [737300]

== Please look your reply above this line ==

You have been copied on this support request (737300). If you would like to add a comment to the request, please reply to this email.

Requester: [EPS Risk Mailbox](#)

Comments:

Jason M. (RentPayment)

Oct 5, 7:22 AM

Hello Robin,

Excellent. Thank you for your assistance!

Best Regards,

Jason M.
Technical Account Manager
YapStone

Direct Line – (925) 954 – 6582

PLEASE NOTE: Attachments will appear below as a link that you can open, save or print.

EPS Risk Mailbox

Oct 5, 6:04 AM

Jason,

Velocity has been increased per your request.

Thanks,

Robin Barberis

Credit Analyst Adv.

ProfitStars -- a Jack Henry Company

972-649-2515 – Direct

888-391-1934 – Fax

epsrisk@profitstars.com

rsbarberis@jackhenry.com

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Attachment(s):

[image001.png](#)

Jason M. (RentPayment)

Oct 2, 10:11 AM

Hello ProfitStars Team,

Please increase the following Velocity limit:

Entity: Vesta Management Services

MID: 213429

Location: Rosemont at Cityview

LID: 1048966

Please increase the Max. Single Trans Amount

FROM: \$968.00

TO: \$2,000.00

Thank you,

Best Regards,

Jason M.

Technical Account Manager

YapStone

Direct Line – (925) 954 – 6582

PLEASE NOTE: Attachments will appear below as a link that you can open, save or print.

Velocity

Oct 2, 9:10 AM

A Velocity Exception has occurred for the merchant Vesta Management. If applicable, please login to the Partner Portal or Merchant Portal for more information.



RENTPAYMENT SUPPORT™
POWERED BY YAPSTONE

[Click here for YapStone's Privacy Policy.](#)

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